IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT APPEAL NO : 1523 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 23/07/2003 in WP NO : 25930 OF 2003 on the file of the High Court.)

Between:

P. Krishna S/o. Late Giddaiah
Gadwal Town, Mahabubnagar.

..... APPELLANT

AND

1 The Municipality of Gadwal rep. by its Commissioner,
Gadwal, Mahboobnagar District.
2 Smt. C. Shyamala W/o. Ramesh,
R/o. Bheemnagar, Gadwal, Mahaboobnagar.

..RESPONDENTS

Counsel for the Appellant:MR.P.VENUGOPAL

Counsel for the Respondent No.: MR.C.B.RAM MOHAN REDDY for R2

Counsel for Respondent No.1:

The Court made the following :

Order: (per Sri BRSR.J)

The interlocutory order passed by the learned Single Judge vacating the interim order initially granted, in our considered opinion does not suffer from any manifest error requiring the interference of this Court. The learned Judge protected the interest of the parties by observing that modification of the interim order will in no manner would have any adverse affect on the physical possession of the property. Admittedly, the dispute with regard to title is pending in the civil Court. The issue as to who is the owner of the property is required to be gone into by the Civil Court and necessary entries can always be made in the register depending upon the result of the suit.

The writ appeal shall accordingly stand dismissed. No costs.

(B.SUDERSHAN REDDY,J)

Dated 11.11.2004

(K.C.BHANU,J)

msv.

To

1 The Commissioner, Gadwal Municipality,
Gadwal, Mahboobnagar District.

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